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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,538	12/07/2000	Kerry Clendinning	2043.061US1	9351
49845	7590	09/19/2006	EXAMINER	
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH/EBAY P.O. BOX 2938 MINNEAPOLIS, MN 55402			RIMELL, SAMUEL G	
			ART UNIT	PAPER NUMBER
			2164	

DATE MAILED: 09/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/730,538

Applicant(s)

CLENDINNING ET AL.

Examiner

Sam Rimell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 and 21-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19, 21-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
**SAM RIMELL**  
**PRIMARY EXAMINER**

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-19 and 21-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Perkowski (U.S. Patent 5,950,173).

Claim 1: Figures 4A1, 4A2 and 4B illustrate a relational table that form part of a database. The identifiers are the column headings, such as “Registrant’s Name” and “Product Description”. For each identified product (which is listed in each row) a plurality of product attributes are provided, such as a company name, a company product model, a trademark, and a URL where the user can obtain more information about that product.

Column 25, lines 1-64 describe five different data collector mechanisms which are capable of collecting data for building the relational database. Each described data collector retrieves data from sources and normalizes the data by inserting the data into the predefined columns of the tables in FIGS. 4A1, 4A2 and 4B. The information which is collected is attribute information for a product. For example, in FIG. 4A1, the product in the third row is tooth paste and one of its several attributes is the trademark “Crest”. The association of the “Crest” Trademark with “Tooth Paste” product is one example of a first attribute→value pairing in the data.

The normalization engine is the processor which populates the tables of FIGS 4A1, 4A2 and 4B with data identified by the data collector. Each row of the table includes first attribute, such as the Trademark “Crest”, a value associated with that attribute, such as the Product

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Description “ToothPaste” and second attribute associated with the first attribute, such as the Registration Name “Proctor & Gamble”. The second attribute is a canonical representation of the other attributes in the sense that it is an alternative representation associated with the other attributes and is made in accordance with a canon (a relation, such as a relational table).

Claim 2: The identifiers shown in the tables of FIGS 4A1, 4A2 and 4B include manufacturer’s identifiers, such as trademarks and part numbers, such as serial numbers (column marked “IP/SN”). The part numbers may be referred to as a “distributor part number”, as well as a manufacturer part number by reason that the manufacturer may also be considered a distributor.

Claim 3: Features of the product are stored in a product description field as shown in FIG. 4A1, and a product specification field as shown in FIG. 4A2.

Claim 4: Each product illustrated in the tables of FIGS. 4A1, 4A2 and 4B includes an “IP/SN” which appears to be a unique product serial number.

Claim 5: The tables of FIGS 4A1, 4A2 and 4B define a relational database. As in any relational database, any row of the database is a tuple.

Claim 6: The database is controlled by SQL or formed on an SQL server (col. 12, line 45).

Claim 7: The database may be replicated in various servers (such as 11 and 12) as part of a distributed network (FIG. 2A1).

Claim 8: The distributed network may be the Internet (col. 11, line18).

Claim 9: Any server in the system of FIG. 2A1 may be read as “third party servers” since they are separate from the facilities of the clients (c1....cn) and the manufacturers who provide the data.

Claim 10: Perkowski discloses the concept of gathering product information from diverse manufacturers and loading the product data into a database, as illustrated by the tables of FIGS. 4A1, 4A2 and 4B.

For products that are already in the database, col. 25, lines 47-54 describe a procedure where product information, such as the URL, can be updated. FIG. 4A2 illustrates a column (third from left) where the updated URL information is held. A second column (first from left) has the original URL. Accordingly, FIG. 4A2 establishes a representation of data (a table) that includes new attribute information (updated URL) related to an alias (original URL). This relationship between the updated URL and original URL can be defined as an attribute→value paring. The registrant’s name can be a second attribute. The second attribute is a canonical representation of the other attributes in the sense that it is an alternative representation associated with the other attributes and is made in accordance with a canon (a relation, such as a relational table).

For products that are not already in the database, the gathered data is formatted into the database and stored in the relational tables of FIGS. 4A1, 4A2 and 4B. This data includes product identifiers and product information laid out in relational tables.

Claim 11: See remarks for claim 9.

Claim 12: The information gathered by the system on Perkowski includes general descriptions, user ratings and reviews, general descriptions, vendors, prices and profiles (See

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FIGS. 4A1, 4A2 and 4B. The user can be displayed any of the information associated with a given product when a query for that product is made (col. 31, lines 5-26 and col. 31, lines 50-65). The data is transformed (placed into the tables of FIGS. 4A1, 4A2, 4B). Both the raw data and the transformed data populated into the tables have attribute→value pairings. For example, the association between the trademark “Crest” and “Toothpaste” is a first attribute→value pairing. A second attribute is associated with the first attribute, such as the Registration Name “Proctor & Gamble”. The second attribute is a canonical representation of the other attributes in the sense that it is an alternative representation associated with the other attributes and is made in accordance with a canon (a relation, such as a relational table).

Claim 13-15: When the user makes a query for a product, the user can be displayed a product/service list (“specifications” of col. 31, line 9); a class list (“incentives” of col. 31, line 14); and a feature list (“operations descriptions” of col. 31, line 11). The user can input selections for any one of these forms of feedback (“electronic data transactions screens” col. 31, line 14).

Claim 16: The user can be presented a picture of the product (“product simulation” col. 31, line 11).

Claim 17: The user can add information via updates (update field of FIG. 4A2).

Claim 18: The user can add ratings (product review information field of FIG. 4A2).

Claim 19: The reviews can comprise a plurality of reviews, either for one product or a collection of reviews based upon multiple products.

Claim 21: The character string associated with the product description can be linked to unique integer identifiers, such as serial numbers (FIG. 4A1). The tables of FIGS. 4A1, 4A2 and 4B, constitute a file and client queries involve traversing the data in this file.

Claim 22: See FIG. 4A1 in particular. Token integers (IP/SN) are associated with character strings (product descriptions). A query performed for that token integer will point in the table to character strings of product information, since the correct product information will be in the same row as the token which was queried. The overall arrangement of the token integers and character strings form a look up table used to support search queries. The table may itself be defined as a single file in a server.

Claim 23: See remarks for claim 10.

Claim 24: See remarks for claim 12.

Claim 25: See remarks for claim 22.

Claim 26: See remarks for claim 1.

#### Remarks

Applicant's arguments and amendments have been considered.

Applicant's amendments have overcome the rejections under 35 USC 112, first paragraph.

Applicant argues that Perkowski does not disclose translating a first attribute to a second attribute. This argument is not correct. In FIGS. 4A1, 4A2 and 4B, Perkowski presents a relational table having rows and columns. Each row of data has attributes, such as "Crest" and "Proctor and Gamble" and values, such as "ToothPaste". Any given first attribute is translated to a second attribute by being associated in the table with the first attribute. The nature of the translation is not defined in the claims, so the only requirement is that some manner of translation exist.

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Applicant also argues that Perkowski does not disclose translation in response to identifying. The identification of an attribute is the action of the data collector is identifying data used to populate the data tables of FIGS. 4A1, 4A2 and 4B.

Applicant argues that Perkowski does not disclose creating a "record search file". Any one of the tables of FIGS. 4A1, 4A2 and 4B are readable as a file, and each row of the table constitutes a record. Once stored in the table, individual records can be searched and retrieved using queries.

Applicant argues that Perkowski does not disclose "token integers". As understood, a token integer is just a numerical value, so the IP/SN serial numbers constitute token integers.

This office action follows the filing of an RCE request, and is made non-final.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (571) 272-4084.



Sam Rimell  
Primary Examiner  
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